THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION NO : 11055 of 2005

DATE: 15.11.2005

Between:

The Youth Cultural Club, Venkata Raju Nagar, Chinna Ammeram, Bhimavaram, West Godavari District.

Petitioner……..

And

1. The State of Andhra Pradesh, Home Department, Secretariat, Hyderabad, represented by the Secretary and others.

Respondents……..

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ORDER:

Heard the learned counsel appearing for the petitioner and also the learned Government Pleader for Home.

The petitioner club filed this writ petition, seeking a direction to the respondents not to interfere with playing of game of rummy with stakes/Syndicate (thirteen card game) by the members of the petitioner-club, their guests, and also the conduct of card room. The registered office of the Petitioner's Club was situated at Door No. 26-9-15, Bhimavaram, West Godavari District.

It is stated that the petitioner's club aims at promotion of morals in the society and to educate the general public and to convert them as good citizens in the society. Ever since it has been established, the members of the petitioner's society have not indulged in gambling activities by betting with money and never violated provisions of the A.P. Gaming Act. It is stated tht the members and guests of the

petitioners club are allowed to play the game of rummy with stakes/sydicate (thirteen card game), and therefore, it cannot be prohibited under the Provisions of the A.P. Gaming Act. However, the respondents are illegally interfering with the members of the petitioner's club from playing the game of rummy.

On the other hand, counter has been filed by the respondents 2 to 4 stating that the members of the petitioner-club have seen indulging in gambling activities by betting money. Therefore, as the members of the petitioner's club are conducting illegal activities in its club by allowing non-members and playing Kotha Mukka by betting money, which is a game of chance, a case was registered against them under Sections 3 and 4 of the A.P. Gaming Act, vide STC Nos. 1280/2000, STC No. 75/2003 and STC No. 56 of 2003, on the file of the II Additional Judicial First Class Magistrate, Bhimavaram. It is further stated that pursuant to the direction of this court, not to interfere with the playing of the game of rummy with stakes/sydicate, the police never interfered with the lawful activities. It is also stated that pursuant to the directions of this court to inspect the premises and take action against the members and guests, if they do any other gambling activities other than the game of rummy, then only the police would inspect the club of the petitioner, on the information as and when received and that the contention of the petitioner-club that police are interfering with the activities of the club is baseless.

In view of the aforesaid counter that the police never threatened the members of the petitioner's club and never asked to close down the premises of the club, no further directions need be issued for appointing the Advocate Commissioner to monitor the illegal or legal activities.

Accordingly, this petition is dismissed. No order as to costs.

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V.ESWARAIAH, J

Date: 15.11.2005.

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